

'I Never Did Surrender....,' Bucher Asserts

By George C. Wilson
Washington Post Staff Writer

CORONADO, Calif., March 11—Cmdr. Lloyd M. Bucher of the *Pueblo*, fighting for his Navy career and his name in this final act of the courtroom drama here, said today, "I never struck my colors—I never did surrender the ship."

His words—part of the summation to the five admirals on the Naval Court of Inquiry, and to the country looking on—were part of the denouement of this phase of the *Pueblo* affair.

A few weeks from now, the court will decide whether he should be court-martialed for giving up the ship or exonerated for his unprecedented plight as he tried to sail a spy ship between war and peace.

Today was Bucher's last chance before the court to make a lengthy defense of his decisions as skipper of the *Pueblo* when North Korean gunboats closed in on him off Wonsan on Jan. 23, 1968. Later this week he is scheduled to make a final, but brief, public statement—then wait for the judgement of the court.

Displaying more energy than he could summon up last Jan. 20 when he began telling his story to the court, the 41-year-old commander—discarding the glasses he wore in earlier appearances—rested his case on following his orders to the letter.

'Acting in Faithful Response'

"I was acting in faithful response to the orders I had been given," he told the court. "My orders were specific as to my not to start a war out there."

This is why, he said, he did not take the tarpaulins off the two 50-caliber machine guns he had—one in the bow and one in the stern—when the Koreans started harassing the *Pueblo* as she lay off Wonsan collecting electronic intelligence.

As for using the *Pueblo*'s small arms — 10 Thompson machine guns and one carbine — Bucher said:

"Firing the guns to repel the boarders would have resulted in killing three or four of them, but it would have resulted in total demolishing of the ship."

"At the time the Koreans were obviously going to board the ship," Bucher continued, "I did not consider that repelling boarders would have

had any real effect on the outcome of the engagement.

"It was possible the Koreans would come aboard and leave once they realized that we were an American ship and not a South Korean ship with South Korean agents aboard."

Hope for U.S. Planes

Also, the skipper said, there was the possibility—and the hope—that American planes would show up any minute in answer to the *Pueblo*'s call for help. In that event, Bucher said, he intended to order his crew to try to overpower the 10 armed Koreans who had come aboard.

The only boarding his commanders had led him to anticipate before he set sail, Bucher said, were disorganized attempts from fishermen in small boats. "I never expected an organized warship type of attack," he said.

Rear Adm. Marshall W. White of the court asked Bucher if at some point his orders against appearing provocative were not superseded by the events off Wonsan. "At what instant did this policy cease to be in effect?" White asked.

Bucher's Reply

"I can't think of a time when the policy was not in effect," Bucher replied. "The information I had was that there would possibly be aircraft arriving on the scene shortly."

"If help did arrive, I wanted to be able to move out of there. There were not more than 10 North Korean officers and enlisted men aboard our ship. It would have been entirely possible to overcome them if our planes had shown up. I would have made an attempt to do so."

"I felt strongly about following my orders not to be provocative. This, more than anything else, guided my action on that day."

Vice Adm. Harold G. Bowen, president of the court, bore in on the issue of whether the Korean boarding attempt did not put the *Pueblo* in a struggle for survival — a condition under which her guns could be used.

"If the situation is not one man (trying to board the ship) but is an organized boarding party which you can observe, is that a matter of survival?" Bowen asked.

"If it's a matter of the loss of the ship, or salvation of the ship," Bucher answered, "yes."

that the boarding attempt was indeed a survival situation which called for an all-out repelling effort.

It was Rear Adm. Richard R. Pratt of the court, however, who touched the nerve center of this whole inquiry when he asked Bucher why he did not tell his crew about his decision to surrender the *Pueblo* without firing a shot.

"I prefer to feel," Bucher said, "in that I never struck my colors, I never did surrender the ship. The Koreans hauled our colors down when we got into port. I don't feel that 'surrender' is the accurate term."

As to informing his crew about his decision, Bucher said "people in the pilot house were aware of my decision to allow the Koreans to come aboard. The people in the research center were also aware."

In his earlier testimony before the court, Bucher himself used the term surrender.

"We continued to destroy classified material," Bucher said in that previous testimony, "and I decided at that time that if the destruction of classified material was progressing successfully, and depending upon what their next action would be, I would surrender the ship. I felt that any further resistance on our part would only end up in a complete slaughter of the crew."

As it turned out, the destruction was not as complete as Bucher had figured it was while he was running the *Pueblo* from the bridge. Today, he took the blame for this. He also told the court that the Navy should have provided more guidance for such destruction.

He said he could have gotten rid of the secret papers before the Koreans boarded the ship if he had thought to tear them up, stack them in a head, pour diesel fuel over them and set the pile afire.

"I hold myself accountable" for not thinking of that destruction strategem, Bucher said, adding: "We should have been provided with a better-thought-out plan by the Navy for the implementation of emergency destruction."

In another mildly expressed complaint, Bucher said that the pictures of the *Pueblo* crew making obscene gestures in North Korean propaganda photos should have been kept in official U.S. Government circles. Once they appeared in an American news magazine, he said, the *Pueblo* crew was severely beaten for tricking their captors.

Another action in the United States which prompted the Koreans to beat the *Pueblo* men, he said, came after a Congressman in a speech had linked them to the Central Intelligence Agency.

Bucher's wife, Rose, and her father were in the audience. As the crowd filed out, Bucher called after her, "Remember what I said, Mommy." He had

Premier Hint s He Will Seek Ban on Atom Bombs on Isle

By TAKASHI OKA

Special to The New York Times

TOYKO, March 11—Premier Eisaku Sato indicated in the Diet (Parliament) yesterday and today that he favored an Okinawa free of nuclear weapons and with American bases there subject to the same restrictions as those in Japan proper.

This is the first time the stolid conservative leader has hinted that he might take such a position in the coming United States-Japanese negotiations over Okinawa, and his remarks created a sensation in the Diet. The United States at present enjoys exclusive control of the Ryukyu Island chain, including Okinawa and its enormous complex of bases. Mr. Sato has pledged to obtain a definite date for the reversion of the islands to Japanese control when he goes to Washington for talks with President Nixon in November.

Mr. Sato made his comments on Okinawa before the budget committee of the upper house, which annually takes up general policy questions before examining the budget in detail.

Some observers look on the qualified manner in which the Premier presented his remarks as constituting a kind of trial balloon, aimed at persuading Washington before actually embarking on formal negotiations that it would be wiser to agree gracefully to a nonnuclear, restricted status for its bases on Okinawa than risk a major crisis in Japanese-American relations.

Mr. Sato, though hedging his statements with qualifications, made the following points:

① Okinawa should be returned to Japan within three to five years.

② When it is returned, unless some special provision is made, the American bases there should be governed by the military security treaty now in existence between Japan and the United States.

③ As this treaty has been interpreted by Japan, nuclear warheads are not allowed in Japanese territory. The United States must undertake "prior consultations" before bringing in such weapons, and Japan will always answer "no" to such requests. The Sato Cabinet will uphold the three "non-nuclear principles"—non-manufacture, nonpossession and nonintroduction of nuclear weapons.

These comments contrasted markedly with previous statements by the Premier, in which he stressed that Japan could afford to keep nuclear weapons out of the home islands only because the United States had the unrestricted use of military facilities in Okinawa.

home with him.

Then Bucher prepared himself for a final closed session with the admirals. He popped a headache pill into his mouth, gulped down some water and then strode out of the courtroom—shaking out a cigarette as he reached the hall where

cities" in South Vietnam a violation of the Oct. 31 understanding that led to an end of American bombing of North Vietnam. The American version is that Hanoi understood that the bombing halt could not be continued if major cities were attacked indiscriminately or the demilitarized zone abused.

The continuing enemy offensive is reported to have led Mr. Nixon to delay the opening substantive secret bargaining in Paris.

Some officials had hoped that the President would give the go-ahead for such talks when he was in Paris during his European tour two weeks ago, but the enemy shelling of Saigon and other South Vietnamese cities was said to have interfered with any such plans.

In addition, some officials assert that Washington has not yet won agreement from the South Vietnamese Government for secret four-way talks that would involve both Saigon and the National Liberation Front of South Vietnam — the Vietcong.

The 17-day-old enemy offensive, by focusing attention on the battlefield rather than efforts to work out agreed negotiation positions, is said to have complicated the problem of getting secret negotiations on substantive issues started.

It has long been the United States view that only in secret sessions could allied negotiators make real progress in give-and-take bargaining with North Vietnam and the Front. This was the pattern last summer.

3 Contacts Since Summer

Since the Nixon Administration took office, there have been at least three unannounced contacts between American and North Vietnamese negotiators. Two were courtesy calls and the third involved an exchange of protests over battlefield incidents.

But well-placed officials assert there have been no secret sessions on key issues such as mutual troop withdrawals or the political future of South Vietnam.

Some officials favor secret negotiations with North Vietnam on military issues. But others doubt that this approach could succeed until Saigon and the Front begin simultaneous talks on political issues.

The reason is that Hanoi and the Front have long put major stress on their demands for replacing the present Saigon regime with a coalition government.

South Vietnam was edging toward secret talks with the Front, American officials report, but was not ready for substantive negotiations in secret by the time the enemy offensive began on Feb. 23.

Some American officials and Allied diplomats now expect enemy forces to press their current offensive to the point of provoking some military response from the Nixon Administration.

According to this view, the North Vietnamese and Vietcong leadership are not only

U.S. APOLOGIZED FOR LAOS ACTION

Official Also Says Cambodia
Is Releasing 4 Airmen

By PAUL W. WARD

[Washington Bureau of The Sun]

Washington, March 11—The State Department disclosed today that it has expressed "regrets" to Laos over an intrusion by American troops into that officially neutral country.

It almost simultaneously took note of a broadcast from Cambodia, which abuts Laos, announcing the release of four American airmen held there since February 12.

Robert J. McCloskey, chief State Department press officer, related their release to the fact that "within the past week" President Nixon had sent Prince chief of state, a personal message "about the detainees."

"We Are Very Happy"

"We are very happy, of course, over this humanitarian action by Prince Sihanouk," Mr. McCloskey said.

The four men comprised the crew of an L19 that, according to the Cambodian government, was brought down by ground fire 27 days ago.

One member, identified only as Laird Osborn, was hospitalized until last Friday when, the Cambodian government announced, he had "completely recovered" and been allowed to rejoin his colleagues.

Asked also about a reported incursion into Laos by American forces and whether any "message" about it had been sent to Vientiane, Mr. McCloskey said:

"I am informed there was a penetration of Laos's border up to 2 kilometers (1¼ miles) by United States marines . . . some time within the last two weeks."

"Ambassador [William H.]

testing the President but also they are seeking to improve their bargaining position in Paris.

"They are still deeply wedded to the idea that they can't get anything in the negotiations that they don't win on the battlefield," an Allied diplomat said, "and they are fighting primarily over what kind of political settlement they will get."

In this view, the enemy commanders have felt compelled to apply pressure to compensate for the relative lull in their activity in November, December and January. Some diplomats believe the enemy commanders felt their offensive all the more necessary because American and South Vietnamese officials were talking optimistically of gaining an upper hand militarily and raising the enemy's political demands.

Widow Finally Accepts The Medal of Honor

WASHINGTON, March 11 (AP)—A widow who had refused for months to accept a Medal of Honor awarded to her husband posthumously for bravery in Vietnam consented yesterday to receive it, but only in secret.

Mrs. Mary Jo Sargent of Hampton, Va., widow of First Lieut. Ruppert Leon Sargent of the Army, was given the nation's highest military award by a brigadier general who called at her home, Pentagon sources said. Lieutenant Sargent was killed in 1967 when he threw himself on two enemy hand grenades.

She wanted no publicity and has opposed accepting the medal because she is a member of Jehovah's Witnesses, her mother-in-law, Mrs. Janet Sargent, also a member of Jehovah's Witnesses, said.

Sullivan did express regrets to Laos's prime minister for the penetration and said he was informed the Marine elements had already left Laotian territory," Mr. McCloskey continued.

Occurred In Tactic

The first report of the intrusion to be published in this country said that it occurred during an operation allied forces began about six weeks ago in a part of South Vietnam abutting Laos; that about 100 marines seized several hilltops just inside Laos's frontier there; and that they held them for about a week in an unopposed effort to protect the main force's flanks.

A Laotian government press communique today said in part:

"In the course of recent combat in the upper extremity of the A Chau Valley, certain elements of the American marines penetrated less than 2 kilometers into Lao territory. This penetration had been committed just at the time of a tactical maneuver when a Marine unit was intensively engaged near the Laotian frontier where there was no civilian population.

U.S. Assurance

"The United States ambassador expressed his regrets to his highness, the prime minister, over the incident and assured him his country continues to avoid extending the hostilities to Lao territory. He also informed the prime minister that the American Marine elements have already left Lao territory."

"The royal Laotian government," the communique concluded, "must once again affirm its clear intention to prevent the Vietnamese conflict from being extended to its territory, a position which flows naturally from its policy of neutrality, solemnly declared."

N. Korean and U. S. Troops Exchange Machine-Gun Fire

PANMUNJOM, Korea, March 11 (UPI).—U. S. infantrymen guarding the western sector of the Korean truce line traded hundreds of rounds of machine-gun and rifle fire with North Korean soldiers Tuesday only a few miles from this village where a meeting of the Korean Military Armistice Commission was under way.

The United Nations Command said 2nd U. S. Infantry Division troops suffered no casualties in the two-hour firefight. Communist casualties, if any, were not known.

(A Communist North Korea central news agency broadcast, monitored in Tokyo, said "scores" of U. S. soldiers were killed and wounded.)

The shooting began around 12:30 P.M. even as the armistice commission was holding its 285th meeting in this truce village, 45 miles north of Seoul.

U. S. Air Force Maj. Gen. James B. Knapp, new UNC senior delegate, interrupted the proceedings to tell the North Korean Communists:

"I have just received information that a fire fight was initiated by North Koreans . . . when they fired machine guns across the military demarcation line toward our guardpost near Pammunjom."

The 54-year-old general, who succeeded U. S. Army Maj. Gen. Gilbert H. Woodward in the post on Feb. 1, suggested to North Korean Army Maj. Gen. R. Chung-Sung, Communist chief delegate, that a joint observer team be convened to investigate the incident.

Ri, who also took over in February from Maj. Gen. Pak hung Kuk, refused to respond to the proposal and insisted the clash was started by the American troops.

U. S. military officials said a Communist guardpost opened fire with light machine guns on the outpost of the United Nations Command and the American soldiers returned the fire, mainly with M-14 rifles. The exchange lasted on and off for nearly two hours, they said, but no Americans were hit.

In addition to the 82d Airborne troopers, about 5000 South Korean soldiers and U. S. troops stationed in South Korea will take part in the games.

American military officials said all of the airborne division's 2d Brigade will have arrived in South Korea by Friday.

The climax of the mock airborne assault will come when another battalion of the brigade will arrive directly from Fort Bragg after a 31-hour flight aboard Starlifters, and drop into the exercise areas. The planes will not land in Korea.

Code of Conduct Not Applicable to Pueblo

By GEN. THOMAS A. LANE

The *Pueblo* publicity has brought a rash of ill-informed comment about the military code of conduct. The present code was adopted after the Korean War had given us our first experience with Communist treatment of war prisoners. Instead of acting against the Communist barbarity, we tried to steel our soldiers to withstand the treatment. That is the kind of national leadership we have.

The code of conduct has no application to the *Pueblo* case. The code is designed to guide the conduct of soldiers captured by the enemy in time of war. Its basic premise is that the captured soldier must sacrifice his own life if necessary rather than give information which would jeopardize the lives of his buddies who are still fighting. That is a reasonable proposition.

But the *Pueblo* was not on a war mission. It was engaged in general surveillance of North Korea during an armistice when all fighting had supposedly been stopped. In fact, we were so unwarlike that the President would not allow the Pacific Fleet commander to go in and recover the *Pueblo*.

Under these circumstances, it is unreasonable to suggest that the *Pueblo* crew should have abided the military code for prisoners captured in war. For what purpose? To preserve an honor which the President and the American people had already abandoned?

In the light of his own action, the President should have announced im-

mediately that the military code did not apply. He should have ordered the crew to sign any and all lies put before them; and thereby he would have given the world the true value of the "confessions" exacted by the barbarians.

It is to be hoped that the Naval Court of Inquiry will understand these elementary aspects of the code of conduct and commend the *Pueblo* crew for its courageous behavior. Like any other law, the code must be applied to the conditions for which it was designed.

There are other values in the code. It stresses organizational integrity after capture so that prisoners will continue to act as a military unit to the extent that conditions allow. It commands mutual support and discipline and the maintenance of morale, which is so important for survival.

But the Communist powers do not observe the rules of land warfare adopted by civilized nations. As the *Pueblo* hearings have again informed us, the Communists terrorize and cruelly abuse prisoners of war.

Our problem is not in the behavior of our soldiers, sailors and airmen. It lies in the behavior of our political leaders in Washington. What strange psychosis causes them to maintain diplomatic relations with powers which practice such demonic disregard for the laws of civilized nations? Do they suppose that by shutting their eyes to the real nature of the Communist despotism they are somehow furthering the cause of peace?

What really demoralized the *Pueblo* crew was the realization that they had been abandoned by their own country. It wasn't that we didn't have the power to free them. We had the power, but we lacked the mind and the will to do so. Our leaders had become so addled by fears of nuclear war and hopes of peace by appeasement that they could not act. Soviet strategists traded on this condition of our leaders when they ordered the seizure of the *Pueblo*.

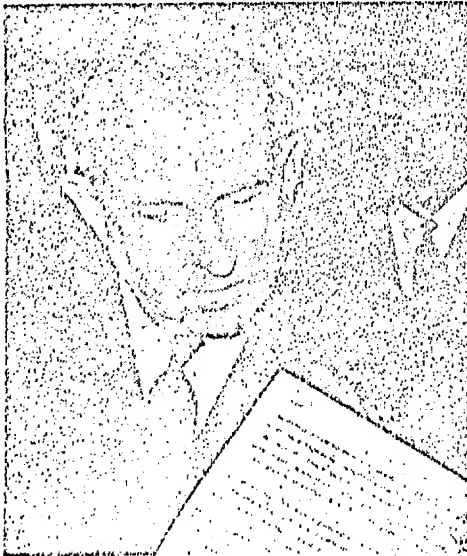
Our Pacific Fleet commander knew that he could with a show of force compel the release of ship and crew. But when he proposed to do so, President Johnson said no, that he did not want to start a war!

Such naive ideas about war? There

would have been no resistance from North Viet Nam nor from Red China nor from the Soviet Union. They were just waiting to see what we would do—and they had no intention of starting a war with the United States.

The disintegration of nations begins at the top. While the people still have the moral strength and dedication to preserve their patrimony, they are unable to find leaders worthy of the supreme office. The qualities of compromise and accommodation which assure domestic political success are the very qualities which render a man incapable of meeting a threat to national survival. History is filled with illustrations, of which the latest are our own.

The shame of the *Pueblo* falls not on its crew but on the President of the United States.



Adm. Thomas Moorer, chief of naval operations, testified that the *Pueblo* incident could well be repeated.